IMT Nuremberg Archives

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International Court of Justice

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TC 18

I, SIR DAVID JOHN MONTAGU-DOUGLAS-SCOTT, K.C.M.G., a Deputy Under-Secretary of State for Foreign Affairs, HEREBY CERTIFY that the attached document, marked "T.C.18.", is a photostat copy of document No. 80 entitled Declaration Concerning Wars of Aggression: Resolution of the Third Committee, which appears on pages 155 and 156 of the League of Nations Official Journal, Special Supplement No. 54, issued at Geneva in 1927.

LONDON

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INTERNATIONAL MILITARY TRIBUNAL
NURNBERG, GERMANY
GB Exhibit 17
Filed 5 Dec 45

Foreign Office, London, S.W. 1.

25th. October, 1945.

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80. — DECLARATION CONCERNING WARS OF AGGRESSION : RESOLUTION OF THE THIRD COMMITTEE.

The President :

Translation : The next item on the agenda is the examination of the Third Committee's resolution with reference to the declaration concerning wars of aggression (document A. 109. 1927. IX).

(*On the invitation of the President, M. Benes, Chairman of the Third Committee, and M. Sokal, Rapporteur, took their places on the platform*).

The President :

Translation : M. Sokal, Rapporteur, will address the Assembly.

M. Sokal (Poland), Rapporteur :

Translation : Mr. President, ladies and gentlemen — The draft resolution which I had the honour to submit to the Assembly on September 9th was referred to the Third Committee and was unanimously adopted by the Committee, with acclamation, on September 19th. The Committee has done me the honour of asking me to act as Rapporteur to the Assembly on the subject of this draft resolution, to which it has given its full adherence.

The Committee was of opinion that, at the present juncture, a solemn resolution passed by the Assembly, declaring that wars of aggression must never be employed as a means of settling disputes between States, and that such wars constitute an international crime, would have a salutary effect on public opinion, and would help to create an atmosphere favourable to the League's future work in the matter of security and disarmament.

While recognising that the draft resolution does not constitute a regular legal instrument, which would be adequate in itself and represent a concrete contribution towards security, the Third Committee unanimously agreed as to its great moral and educative value.

Being convinced that the League's work in the matter of security and disarmament can never prove successful or result in the establishment of a complete system of organised security until all mutual suspicion and fear of aggression are removed, your Committee decided to recommend the adoption of this draft resolution, which testifies to the desire of the States Members of the League to renounce all wars of aggression and is calculated to impress on public opinion a further desire for international conciliation. I have accordingly the honour to ask you to adopt the draft resolution now before you. It reads as follows :

The Assembly,

Recognising the solidarity which unites the community of nations ;

Being inspired by a firm desire for the maintenance of general peace ;

Being convinced that a war of aggression can never serve as a means of settling international disputes and is, in consequence, an international crime ;

Considering that a solemn renunciation of all wars of aggression would tend to create an atmosphere of general confidence calculated to facilitate the progress of the work undertaken with a view to disarmament :

Declares :

(1) *That all wars of aggression are, and shall always be, prohibited.*

(2) *That every pacific means must be employed to settle disputes, of every description, which may arise between States.*

The Assembly declares that the States Members of the League are under an obligation to conform to these principles.

The President :

Translation : The Assembly is asked to give an opinion on the draft resolution submitted by M. Sokal on behalf of the Third Committee.

The General Committee of the Assembly, being anxious that the importance of this declaration should be fittingly marked, decided, at its last meeting, that the proper procedure for its adoption would be a vote by roll-call.

Accordingly, if the Assembly agrees, the vote will be taken by roll-call. (*Assent*).

In conformity with Rule 20, paragraph (*a*) of the Rules of Procedure, the name of each delegation shall be called and one of its members shall reply from his place in the hall " Yes " if in favour of the declaration, " No " if opposed to it, or " Not voting. "

The result of the voting will be recorded and announced to the Assembly.

(*The vote was taken.*)

The President :

Translation : All the delegations having pronounced in favour of the declaration submitted by the Third Committee, I declare it unanimously adopted.

The resolution was adopted.

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